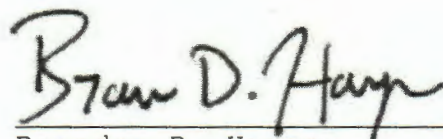


Approved:



Brandon D. Harper  
Assistant United States Attorney

ORIGINAL

Before: THE HONORABLE SARAH NETBURN  
United States Magistrate Judge  
Southern District of New York

20 MAG 7002

----- X  
UNITED STATES OF AMERICA

- v. -

CHARLES EVANS,

Defendant.

:  
: COMPLAINT

: Violation of  
: 18 U.S.C. §§ 922(g)(1),  
: 924(a)(2), and 2

: COUNTY OF OFFENSE:  
: BRONX

----- X  
SOUTHERN DISTRICT OF NEW YORK, ss.:

EDGARDO BARBOT, being duly sworn, deposes and says  
that he is a Detective with the New York City Police Department  
("NYPD"), and charges as follows:

COUNT ONE  
(Felon in Possession)

1. On or about February 7, 2020, in the Southern  
District of New York and elsewhere, CHARLES EVANS, the  
defendant, knowing he had previously been convicted in a court  
of a crime punishable by imprisonment for a term exceeding one  
year, knowingly did possess a firearm, to wit, a loaded black .9  
millimeter, Taurus, semi-automatic pistol, and the firearm was  
in and affecting commerce.

(Title 18, United States Code, Sections 922(g)(1), 924(a)(2),  
and 2.)

The bases for my knowledge and for the foregoing  
charge are, in part, as follows:

2. I am a Detective with the NYPD and I have been  
personally involved in the investigation of this matter. This  
affidavit is based upon my personal participation in the  
investigation of this matter, my conversations with law  
enforcement agents, witnesses and others, as well as my

examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my conversations with and my review of statements provided by NYPD officers ("Officer-1," "Officer-2," "Officer-3," and "Sergeant-1," and collectively, the "Officers") involved in the arrest of CHARLES EVANS, the defendant, and my review of body and surveillance camera footage, I have learned the following, among other things:

a. On or about February 7, 2020, at approximately 10:45 p.m., the Officers were on patrol in plain clothes and in an unmarked vehicle in the vicinity of Morris Avenue and 168th Street in Bronx County, New York.

b. At around 10:45 p.m., the Officers traveled southbound on Morris Avenue and approached the intersection of approximately Morris Avenue and 168th Street. Officer-1 noticed an individual later identified as EVANS walking with an unidentified additional individual southbound on a sidewalk to the right-hand side of the Officers' vehicle.

c. As the Officers' vehicle moved closer to EVANS, EVANS began to look around his shoulder in the direction of the Officers.

d. EVANS then bent down towards the ground behind parked vehicles and garbage bags. At the moment that EVANS bent down, Officer-1 heard a sound and then saw EVANS stand back up and continue walking southbound. As he continued to walk, EVANS sped up and left the unidentified individual behind.

e. Officer-2 and Officer-3 exited the vehicle and walked toward the area where EVANS had crouched down. Upon exiting the vehicle, Officer-2 walked directly toward the area where EVANS had bent down. Officer-2 then turned on his flashlight and pointed it in the direction of where EVANS had been standing while he bent down. At that point, the Officers noticed a black firearm in or about the location where EVANS had crouched down moments earlier. Officer-2 then collected the firearm. Officer-1 and Sergeant-1 remained inside the vehicle.



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f. Officer-1 and Sargeant-1 then pursued EVANS in their vehicle. Officer-2 and Officer-3 eventually pursued EVANS on foot.

g. The Officers later apprehended EVANS and he was arrested at approximately Grant Avenue near 167th Street.

h. At the time of his arrest, EVANS provided pedigree information, including his name, address, and date of birth, which confirmed that EVANS was the individual arrested.

4. Based on my review of NYPD reports and recordings, I have learned the following, among other things:

a. The firearm that was recovered on or about February 7, 2020 was a Taurus model PT709 .9mm caliber semi-automatic pistol. The firearm was loaded with 7 luger .9mm cartridges and 1 Taurus magazine.

b. A photograph of the recovered firearm is below:



c. The magazine and ammunition recovered are pictured below:



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5. Based on my training and experience, and my communications with other law enforcement agents, including a Special Agent from the Bureau of Alcohol, Tobacco, Firearms and Explosives who is familiar with the manufacturing of firearms, I have learned that the Firearm was not manufactured in New York State.

6. Based on my review of criminal history records pertaining to CHARLES EVANS, the defendant, I have learned that on or about March 23, 2012, in New York County Supreme Court, EVANS pled guilty to Attempted Hate Crime/Assault with Intent to Cause Injury with a Weapon. On or about October 31, 2014, EVANS was sentenced to 3 years' imprisonment to be followed by 2 years' post-release supervision.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of CHARLES EVANS, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

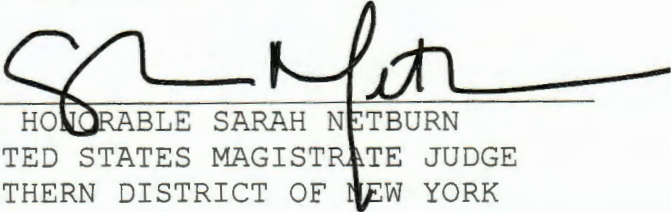
/s authorized

electronic signature

Detective Edgardo Barbot

New York City Police Department

Sworn to me through the transmission of this  
Complaint by reliable electronic means, pursuant to  
Federal Rules of Criminal Procedure 41(d)(3) and 4.1  
This 6 day of July, 2020

  
\_\_\_\_\_  
THE HONORABLE SARAH NETBURN  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK